



EXHIBIT F16j

JAN 5 2006

Ms. [REDACTED] ^k
Supervisory Customs and Border Protection Officer
JFK International Airport

Dear Ms. [REDACTED]

This letter serves as notice of my proposal to suspend you from duty and pay as a Supervisory Customs and Border Protection Officer (SCBP Officer), for fourteen (14) calendar days to promote the efficiency of U.S. Customs and Border Protection (CBP). This proposal is based on the following charge and specification:

Charge:

Use of Position or Authority for other than Official Purposes.

Specification:

On September [REDACTED] 2005, at approximately 8:45 a.m., you were observed in uniform at the American Airlines Terminal at JFK Airport escorting a male passenger through Transportation Security Administration ("TSA") screening to the gate area. You were not scheduled to work on this day, and you had no official reason to enter the secure gate area, or to escort this male passenger through the TSA screening process. Subsequently, you submitted a memorandum dated October [REDACTED] 2005, addressing these allegations, in which you affirmed that on September [REDACTED] 2005, you accompanied your husband to the American Airlines Terminal where he was scheduled to depart on a flight to Barbados. You stated that you thought you were scheduled to work the 1000-1800 shift at Terminal One, but learned when you arrived at the Airport that you were not scheduled to work until the next day. You stated that you wore a blue windbreaker and that no CBP emblem was visible, but that your Airport Operations Area (AOA) Card was visible at all times. You stated that your husband and his bags went through the security scanner, and that TSA took three (3) cans of spray starch from your husband, which you picked up on the way out of the secure area. You stated that you did not request special treatment and that no special treatment was accorded to your husband.

Although you claim that no special treatment was accorded to you or to your husband, the fact remains that you entered the secure area of the American Airlines Terminal, normally limited to ticketed passengers only, while off-duty and with no official reason to

enter. Furthermore, the fact that you displayed an AOA card on your person may have misled the TSA screener that your husband was being officially escorted through security.

In making my decision, I have considered the nature and seriousness of the charge and its relationship to your employment with CBP. I have considered that your AOA Card was issued to you by the Port Authority in conjunction with FAA regulations based on your job as a SCBP Officer, and as such its use should not be abused. Furthermore, I have considered that as a supervisor, you are held to a higher standard, and your actions in entering the secure area while off-duty, and in escorting your husband through TSA screening cannot be tolerated.

My decision to issue you this proposal is consistent with the CBP Table of Offenses and Penalties (the Table). The appropriate penalty for your actions is specified in the Table, Offense 1.3., Integrity, "Use of position or authority for other than official purposes," which carries a penalty of a 14-day suspension to removal for a first offense.

Enclosed is a copy of the material relied upon to support this proposal. You are entitled to review these materials and to answer the charge orally and/or in writing and submit affidavits and other documentary evidence in support of your answer. You will be allowed seven (7) calendar days from the date you receive this notice to request an opportunity to make an oral reply, which must be made within fourteen (14) calendar days from receipt of this letter. You also have fourteen (14) calendar days from receipt of this letter to submit a written reply. If you choose to make an oral and/or written reply, contact Lucia Baez, Employee Relations Specialist, at (646) 733-3233, to make the appropriate arrangements. Ms. Camille Polimeni, Area Director, JFK Airport will be the deciding official in this matter.

If you choose to make an oral reply, you will receive a transcript of your reply. You may review the transcript, make corrections and submit your version of the transcript if corrections are not mutually agreeable. Any reply you make will be given full and careful consideration before a final decision is made. No decision will be made until your reply is received, or if no reply is made, until after the fourteen (14) calendar days from the date you receive this letter. Regardless of whether you reply, a written notice will be given to you stating the final decision at the earliest possible date.

During this notification period, you will remain in your present position, grade, and salary, in an active duty status.

Please sign, date and return the accompanying copy of this letter as acknowledgement of receipt of the original. Your signature does not mean that you agree or disagree with its contents and by signing, you do not forfeit any of your rights cited above.

Sincerely,



John Mirandona
Assistant Area Director
Passenger Operations
JFK Airport

Enclosures

ACKNOWLEDGEMENT OF RECEIPT



JAN 2005

Signature and Date